IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
MISC. CIVIL APPLICATION NO.78 OF 2004

Shailendra Shashikant Gadhve Applicant

Vs.

Sou. Pooja Shailendra Gadhve & anr. Respondents

Ms.Shubhangi Kadam h/f. Mr.R.D.Suryavanshi for applicant.
Mr.Harshad Palve for respondents.

CORAM: B.H.MARLAPALLE,J.
June 14, 2005.

ORAL ORDER:

1. Heard the learned counsel for the respective parties. The applicant is the husband of respondent no.1 and their marriage was performed at Nashik on 17-4-2000. The respondent no.2, son was born on 13-3-2002. The respondent no.1-wife has filed Marriage Petition No.190 of 2003 in the Court of Civil Judge Senior Division, Nashik under Section 13(1)(a) of the Hindu Marriage Act for divorce. Subsequently on 28-11-2003 the husband has also filed Marriage Petition No.390 of 2003 in the Court of Civil Judge Senior Division at Thane under the very same provisions of the Hindu Marriage Act and both these petitions are pending in the respective Courts as at present.

2. This application has been filed under Section

24 of C.P.C. seeking transfer of either the petition filed by the wife or the petition filed by the husband to the other Court.

3. By consent the petition could be allowed in terms of the alternative prayer i.e. for transfer of the Hindu Marriage Petition No.390 of 2003 from the Court of Civil Judge Senior Division, Thane.

4. Hence it is hereby directed that Hindu Marriage Petition No.390 of 2003 presently pending in the Court of Civil Judge Senior Division, Thane be transferred to the Court of the learned Civil Judge Senior Division at Nashik and clubbed with the Hindu Marriage Petition No.190 of 2003. Hearing in both the petitions on clubbing together is hereby expedited.

5. The application disposed off in terms of the above order.

6. Writ to go forthwith to the respective Courts.

(B.H.MARLAPALLE,J.)